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SUMMARY RECORD OF THE 63rd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 25 April 2000, at 4 p.m.

Chairman: Mr. SIMKHADA (Nepal)

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The meeting was called to order at 4.15 p.m.

CONSIDERATION OF DRAFT RESOLUTIONS RELATING TO AGENDA ITEM 14

Draft resolution E/CN.4/2000/L.70 (Rights of persons belonging to national or ethnic, religious and linguistic minorities)

1. Ms. KUHTREIBER (Observer for Austria) introduced draft resolution L.70 on behalf of its 50 sponsors, including her country.
2. In the resolution the Commission took note of the report of the Secretary-General on the rights of persons belonging to minorities (E/CN.4/2000/79) and of the report of the Working Group on Minorities on its fifth session (E/CN.4/Sub.2/1999/21). The Commission noted, in particular, the Working Group's emphasis on effective participation by minorities and the work on a manual on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. The Commission requested the Working Group to contribute to the preparations for the World Conference against Racism. It called upon States to facilitate the effective participation of persons belonging to minorities in the work of the Working Group on Minorities, and invited the High Commissioner for Human Rights to seek voluntary contributions in that regard.
3. The sponsors had made some drafting changes in the text of the resolution. In the last line of paragraph 9, the words "situations involving minorities" should be replaced by "situations of minorities". In paragraph 10, "welcomes" should be replaced by "takes note of". The beginning of paragraph 11 had been amended to read: "Takes note of the emphasis by the Working Group on Minorities during its fifth session ... on the effective participation of minorities ...". Finally, in the first line of paragraph 14, the words "specialized agencies" should be deleted.
4. She hoped the text would be adopted by consensus.
5. Ms. IZÉ-CHARRIN (Secretary of the Commission) said that the following countries had joined the sponsors of the draft resolution: Mauritius, Armenia, Equatorial Guinea and the Netherlands.
6. Mr. ZIVKOVIC (Office of the High Commissioner for Human Rights) said that the draft resolution had no financial implications.
7. Draft resolution E/CN.4/2000/L.70 was adopted without a vote.

Draft resolution E/CN.4/2000/L.72 (Internally displaced persons)

8. Mr. THEUERMANN (Observer for Austria) said that the question of internally displaced persons was a critical one. The conditions in which such persons lived were extremely difficult, and he welcomed the work being done within the United Nations system to ensure their protection. The text of the resolution referred to the efforts undertaken to that end by the Representative of the Secretary-General on internally displaced persons, Mr. Francis Deng, by the Emergency Relief Coordinator and by members of the Inter-Agency Standing Committee.

The Commission expressed the appreciation of the cooperation which had been established at all levels in order to promote better assistance, protection and development strategies for internally displaced persons and called upon governments to facilitate the efforts of humanitarian organizations to that end.

9. He pointed out a few drafting changes. In the last line of paragraph 11, the word "other" before the words "humanitarian organizations" should be deleted. Paragraph 12 had been amended in the following way: "Stresses the need for appropriate follow-up, etc." should be replaced by "Stresses the importance of appropriate follow-up, etc.". In the second line of paragraph 13, the words "for providing assistance and protection to" should be replaced by the words "with regard to ...". Finally, in paragraph 23, the words "including in the framework of the United Nations system" should be deleted.

10. He drew attention to paragraph 21, which referred to Sub-Commission resolution 1998/26 on housing and property restitution in the context of the return of refugees and internally displaced persons. He thanked the delegations which had helped to draft the text and said he hoped that it would be adopted without a vote.

11. Ms. IZÉ-CHARRIN (Secretary of the Commission) said that France, Ecuador, Colombia, the Republic of the Congo and Angola had joined the sponsors of the draft resolution under consideration.

12. Mr. SABHARWAL (India) said that his delegation was aware of the serious situation of internally displaced persons but nevertheless believed that the responsibility for protecting them lay primarily with States. Humanitarian organizations should intervene only at the request of governments. In that connection, his delegation noted that the Guiding Principles on Internal Displacement could indeed provide some useful guidelines but should in no way be considered legally binding. In that field, as in others, the legislation of the country concerned should prevail.

13. Mr. ZIVKOVIC (Office of the High Commissioner for Human Rights) said that the draft resolution had no financial implications.

14. The CHAIRMAN said that, if he heard no objection, he would take it that the Commission wished to adopt draft resolution L.72 without a vote. Draft resolution L.72 would supersede Sub-Commission on the Promotion and Protection of Human Rights draft decision 9.

15. Draft resolution E/CN.4/2000/L.72 was adopted without a vote.

Draft resolution E/CN.4/2000/L.73 (Violence against women migrant workers)

16. Mr. LEPATAN (Philippines) noted that women made up an increasing proportion of migrant workers, to such an extent that the term "feminization" of migration was coming into use. Women who left their country for economic reasons were particularly vulnerable owing to the dangers to which they were exposed: sexist violence, discrimination, exploitation, etc. The draft resolution therefore invited the States concerned to consider adopting appropriate legal measures to protect women migrant workers, as specified in the Beijing Platform for Action.

17. His delegation, which regularly introduced draft resolutions on the subject, hoped that draft resolution L.73 would be adopted without a vote.

18. Ms. IZÉ-CHARRIN (Secretary of the Commission) said that Azerbaijan and Israel had joined the sponsors of the draft resolution.

19. Mr. ZIVKOVIC (Office of the High Commissioner for Human Rights) said that draft resolution L.73 had no financial implications.

20. Draft resolution E/CN.4/2000/L.73 was adopted without a vote.

Draft resolution E/CN.4/2000/L.74 (Human rights and mass exoduses)

21. Mr. VON KAUFMAN (Canada), after noting the main causes of mass exoduses - human rights violations, persecution, famine, poverty, widespread violence - and stressing the responsibility of States and international organizations to help the countries, in particular developing countries, facing mass exoduses, said that the Office of the High Commissioner for Human Rights had a role to play in connection with the issue. In cooperation with the Office of the High Commissioner for Refugees and the Representative of the Secretary-General on internally displaced persons, the High Commissioner for Human Rights should pay close attention to situations which were causes or potential causes of mass exoduses, through emergency response mechanisms, early warning and information-sharing. The draft resolution also encouraged the High Commissioner for Human Rights, the High Commissioner for Refugees and the humanitarian organizations working with refugees to create an environment for a viable and sustainable return of refugees and displaced persons to their countries when possible. The issue was a crucial one, which was why Canada hoped that the draft resolution would be adopted without a vote.

22. Ms. IZÉ-CHARRIN (Secretary of the Commission) said that Mauritius, Tunisia, Thailand and Georgia had joined the sponsors of draft resolution L.74.

23. Mr. ZIVKOVIC (Office of the High Commissioner for Human Rights) said that draft resolution L.74 had no financial implications.

24. Draft resolution E/CN.4/2000/L.74 was adopted without a vote.

25. The CHAIRMAN declared the consideration of draft resolutions relating to agenda item 14 closed.

CONSIDERATION OF DRAFT RESOLUTIONS RELATING TO AGENDA ITEM 15

Draft resolution E/CN.4/2000/L.63 (Human rights and indigenous affairs)

26. Ms. RODRIGUEZ-MANCIA (Guatemala), introducing draft resolution E/CN.4/2000/L.74 on behalf of Guatemala and Mexico, noted that one of the objectives of the International Decade of the World's Indigenous People was to strengthen international cooperation for the solution of problems faced by indigenous people, in particular in such areas as the environment and development. The Sub-Commission on the Promotion and Protection of

Human Rights, in resolution 1999/20, had recommended the appointment of a special rapporteur on indigenous issues. However, based on informal consultations which the Mexican delegation and her own delegation had held on the question, it would be preferable to postpone any decision on the appointment of a special rapporteur until the Commission had taken a decision concerning the project on a permanent forum for indigenous peoples and concerning the future of the Working Group on Indigenous Populations. She therefore proposed that the Commission should postpone a decision on draft resolution L.63 until its following session.

27. The CHAIRMAN said that, if he heard no objection, he would take it that the Commission agreed.

28. Consideration of draft resolution E/CN.4/2000/L.74 was postponed until the following session of the Commission.

Draft decision E/CN.4/2000/L.65 (Study on indigenous land rights)

29. Ms. GLOVER (United Kingdom of Great Britain and Northern Ireland) said that draft decision L.65 requested the Secretary-General to provide the Special Rapporteur, Ms. Erica-Irene Daes, with all the assistance necessary to enable her to submit her final working paper on indigenous people and their relationship to land to the Sub-Commission at its fifty-second session. The speaker had consulted all the regional groups concerning draft decision L.65 and in her understanding they agreed that it should be adopted without a vote.

30. Mr. ZIVKOVIC (Office of the High Commissioner for Human Rights) said that draft decision L.65 had no financial implications.

31. The CHAIRMAN said he took it that the Commission wished to adopt draft decision L.65 by consensus. It would in that case supersede draft decision 9 of the Sub-Commission on the Promotion and Protection of Human Rights.

32. Draft decision E/CN.4/2000/L.65 was adopted without a vote.

Draft resolution E/CN.4/2000/L.66 (Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights and the International Decade of the World's Indigenous People)

33. Ms. GEELS (Observer for New Zealand), introducing the draft resolution on behalf of its sponsors, said that in draft resolution L.66 the Commission proposed new measures for meeting the objectives of the International Decade of the World's Indigenous People. First, the Commission recommended that the Economic and Social Council authorize the Working Group on Indigenous Populations to meet for five working days prior to the fifty-second session of the Sub-Commission. The draft resolution would therefore supersede Sub-Commission draft decision 5 relating to the Working Group. The Commission welcomed the Working Group's proposal to highlight specific themes of the International Decade in the framework of its comprehensive review of developments and of the diverse situations and aspirations of the world's indigenous people. It noted that in 2000 the Working Group would be focusing on the theme of indigenous children and youth and on the Special Rapporteur's final report on indigenous people and their relationship to land.

34. The Commission took note of the mid-term report of the High Commissioner for Human Rights, in her capacity as Coordinator of the International Decade. It recalled that one of the important objectives of the Decade was the establishment of a permanent forum for indigenous people in the United Nations system and again requested the High Commissioner for Human Rights to ensure that the indigenous people's unit in her Office was adequately staffed and resourced. It also recommended that the situation of indigenous people be taken into account in forthcoming United Nations conferences of relevance, including the special sessions of the General Assembly on the follow-up to the Beijing Conference, the World Summit for Social Development and the World Summit for Children, and the World Conference against Racism. Her delegation hoped that draft resolution L.66 would be adopted by consensus.

35. Ms. IZÉ-CHARRIN (Secretary of the Commission) said that the Russian Federation and the Ukraine had joined the sponsors of draft resolution L.66.

36. Mr. ZIVKOVIC (Office of the High Commissioner for Human Rights) said that draft resolution L.66 had no financial implications.

37. The CHAIRMAN said that draft resolution L.66 superseded Sub-Commission draft decision 5.

38. Draft resolution E/CN.4/2000/L.66 was adopted without a vote.

Draft resolution E/CN.4/2000/L.68 (Establishment of a permanent forum on indigenous issues)

39. Mr. LEHMANN (Denmark), speaking on behalf of the sponsors, introduced draft resolution L.68, in which the Commission recommended that the Economic and Social Council should adopt a resolution establishing as a subsidiary organ of the Council a permanent forum on indigenous issues. The proposal to establish such a body dated back to the 1993 Vienna Conference and was among the principal objectives of the International Decade of the World's Indigenous People.

40. The permanent forum would consist of 16 members, 8 members to be nominated by governments and 8 representing indigenous people, all members to serve in their personal capacities as independent experts. The members nominated by governments would be elected by the Council under the normal procedure, and the members representing indigenous people would be appointed by the President of the Council on the basis of broad consultations with indigenous organizations. The Council would carry out an evaluation of the functioning of the permanent forum five years after its establishment. Once the forum had been established and had held its first annual session, the Council would make a decision concerning the continued functioning of the Working Group on Indigenous Populations and conduct a review of all existing mechanisms, procedures and programmes within the United Nations concerning indigenous issues.

41. In paragraph 1 of draft resolution L.68, the brackets surrounding the words "assisted by the Bureau" should be replaced by two commas.

42. His delegation believed that draft resolution L.68 was balanced, in that it took into account the legitimate concerns of both States and indigenous populations. In that respect, the text faithfully reflected the theme of the International Decade, "Partnership in Action". His delegation therefore hoped that draft resolution L.68 would be adopted by consensus.

43. Ms. IZÉ-CHARRIN (Secretary of the Commission) said that South Africa, Bolivia and Ukraine had joined the sponsors of draft resolution L.68.

44. Mr. ALFONSO MARTINEZ (Cuba), speaking on a point of order, requested that the administrative and financial implications of draft resolution L.68 should be indicated before members made their comments.

45. Ms. KWIECINSKI (Office of the High Commissioner for Human Rights) explained that the activities contained in draft resolution L.68 were new and that no appropriate financial provision had been made for them in the programme budget for 2000-2001. If draft resolution L.68 was adopted, they would not begin until 2001.

46. Annual expenditures under chapter 22 (Human rights) had been estimated at \$114,000 if the forum met in Geneva and \$156,300 if it met in New York. No appropriation had been made under chapter 22 of the approved budget for the 2000-2001 biennium to fund the corresponding activities. If the forum's first session was held in 2001, funding possibilities and the amount of supplementary resources to be provided would be indicated in the summary of budgetary implications to be submitted to the following session of the Economic and Social Council when it considered the Commission's report on its fifty-second session. Funds for the sessions of the forum beginning in 2002 would be provided from the budgets for the corresponding bienniums.

47. Annual expenditures under section 2 (Conference Services) had been estimated at 582,000 dollars if the forum met in Geneva and at 615,000 dollars if it met in New York. Those amounts had been calculated on the basis of the full cost, on the assumption that the services required could not be provided by the permanent staff of the Conference Services Department. Provision had been made, however, under section 2 of the proposed programme budget not only for meetings programmed at the time the budget was prepared but also for meetings which might be authorized subsequently. As a result, no additional appropriation would be required under section 2 of the proposed programme budget for the biennium 2000-2001.

48. The Secretariat pointed out to the Commission that the provisions in paragraph 4 of the draft resolution regarding the location of the forum sessions were not in line with the general principle set out in paragraph 4 of General Assembly resolution 40/243, by virtue of which the forum's annual meetings should be held in Geneva. It also recalled that any forum meeting held anywhere but Geneva or New York would have to be covered by a host country agreement.

49. Mr. ALFONSO MARTINEZ (Cuba) observed that the resources set aside for activities for indigenous populations had always been limited and that the existence of the Working Group had long been threatened. It appeared that the establishment of a permanent organ would lead to the disappearance of the Working Group, although it had enabled indigenous populations to make their voices heard for many years.

50. Paragraph 1 of the draft resolution raised the problem of the forum's composition. The draft text set forth no criteria for the selection of the forum members, yet the wide range of indigenous populations that would be represented on it would inevitably give rise to certain difficulties. The permanent forum might therefore be less representative than the Working Group. Furthermore, paragraph 8 of the draft resolution appeared to eliminate any possibility for the two bodies to coexist.

51. The Cuban delegation therefore considered that the two paragraphs in question should be the object of a separate vote so as to enable the delegations to express their reservations on them.

52. Ms. MBONU (Nigeria) said that her delegation shared the concerns of the Cuban delegation with regard to the maintenance of the Working Group and the selection of the permanent forum's members.

53. Mr. SUTOYO (Indonesia), speaking on behalf of the Asian Group of States, recalled that the latter had always been in favour of the establishment of a permanent forum for indigenous populations. Its final view would nevertheless depend on the nature of the mandate conferred on the forum and the provisions made with regard to its composition. It was crucial to guarantee that it was representative and legitimate.

54. It was to be regretted that at its last meeting, the Ad Hoc Working Group charged with the examination of proposals with regard to the establishment of the permanent forum had not reached a consensus on certain important issues, including the selection criteria for the representatives of indigenous populations. Although the lack of consensus was reflected in the Working Group's report (E/CN.4/2000/86), it was not taken account of in the draft resolution. It was therefore indispensable for the Economic and Social Council and the General Assembly to consider the matter in depth. The Asian Group of States would wish the procedure followed to be similar to that governing, for example, the appointment of special rapporteurs. It would support the draft resolution on that condition.

55. Ms. RODRIGUEZ-MANCIA (Guatemala) did not think that such an important issue should be put to the vote. The draft resolution under consideration was the outcome of a consensus. It could not, therefore, fully satisfy all delegations. The Guatemalan delegation would, for example, have liked the principle of equitable geographical distribution to be emphasized with regard to the forum's composition. It nevertheless believed that the basic issues had been settled. It pointed out that the draft resolution presented formed a whole, and asked the Cuban delegation to join the consensus and in any event to withdraw its request for a separate vote on two paragraphs.

56. Mr. DENNIS (United States of America) said that his delegation was willing to join the consensus on the draft resolution under consideration, even though it was concerned by the forum's financial viability, by the risk of overlap its establishment would create, by the selection criteria for its members and above all by the vagueness surrounding the transfer of duties from the Working Group to the permanent forum. It would also prefer the forum to have fewer members and to meet one week per year instead of two. Finally, it hoped that the Economic and

Social Council would choose a United Nations headquarters city as the meeting-place for the forum. It requested that the meeting be suspended to allow the delegations concerned to harmonize their positions.

57. Following a discussion, in which the delegations of Morocco, Canada, Cuba and Guatemala took part, on whether to suspend the meeting or to continue the proceedings while the delegations concerned withdrew for consultations, the Chairperson decided to suspend the meeting.

58. The meeting was suspended at 5.25 p.m.; it resumed at 5.40 p.m.

59. Mr. LEHMANN (Observer for Denmark) said that the consultations had been in vain. He recalled that the draft resolution under consideration had been very carefully drafted after lengthy deliberation and that it took account of the legitimate interests of all the parties. A consensus had apparently been reached on it until the Cuban delegation had asked that certain paragraphs be put to the vote. In his opinion, it would be preferable to adopt the text without a vote and then to give the floor to the delegations wishing to explain their position on the text.

60. Mr. de AGUIAR PATRIOTA (Brazil) said that his delegation was willing to join the consensus although it expressed reservations on operative paragraph 1. Since the text was apparently not ready to be adopted without a vote, he suggested that consideration of it be postponed.

61. Mr. ALFONSO MARTINEZ (Cuba) had no objection to that proposal.

62. Ms. MBONU (Nigeria) expressed concern that such an important issue should be postponed to the fifty-seventh session. She was worried about what would happen to the Working Group, which was presently the most democratically representative body for indigenous populations.

63. In the absence of objections, the CHAIRPERSON considered that the Commission wished to postpone consideration of draft resolution E/CN.4/2000/L.68 until the following afternoon.

64. It was so decided.

Draft resolution E/CN.4/2000/L.71 (Working Group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994)

65. Mr. LORD (Canada) introduced draft resolution E/CN.4/2000/L.71, the aim of which was to authorize the Working Group charged with elaborating a draft declaration on the rights of indigenous peoples to meet for 10 working days prior to the fifty-seventh session of the Commission. The Canadian delegation welcomed the growing confidence and understanding between the representatives of States and of indigenous populations, and underscored the need to make rapid progress in the elaboration of the draft declaration so that it could be adopted before the end of the International Decade of the World's Indigenous People. The Commission was

therefore asked to invite the Chairperson/Rapporteur of the Working Group and any interested parties to hold broad unofficial consultations between meetings with a view to facilitating the drafting of the declaration at the forthcoming meeting of the Working Group. Canada hoped that a consensus had been reached on the draft resolution. It intended for its part to intensify its dialogue with the representatives of indigenous populations in the country.

66. Ms. IZÉ-CHARRIN (Secretary of the Commission) said that Estonia, Brazil, France, South Africa, Ecuador and the Russian Federation had joined the draft resolution's sponsors.

67. Mr. ZIVKOVIC (Office of the High Commissioner for Human Rights) added that draft resolution E/CN.4/2000/L.71 had no financial implications.

68. Draft resolution E/CN.4/2000/L.71 was adopted without a vote.

CONSIDERATION OF THE DRAFT RESOLUTION UNDER AGENDA ITEM 16

Draft resolution E/CN.4/2000/L.77 (Work of the Sub-Commission on the promotion and protection of human rights)

69. The CHAIRPERSON informed the Commission that the delegation of Luxembourg had requested that draft resolution I 77 be acted on once the Commission had debated the proposals under agenda item 20.

CONSIDERATION OF DRAFT RESOLUTIONS RELATING TO AGENDA ITEM 9

Draft resolution E/CN.4/2000/L.55 (East Timor)

70. The CHAIRPERSON informed the Commission that draft resolution E/CN.4/2000/L.55 had been replaced by a Chairman's Statement on East Timor, which read as follows:

Chairman's Statement on East Timor

1. The Commission takes note of the report of the joint mission of Special Rapporteurs of the Commission on Human Rights to East Timor (A/54/660) and the report of the International Commission of Inquiry (A/54/726) and takes also note of the need to complete the systematic investigations of violations of fundamental human rights and international humanitarian law perpetrated in East Timor.

2. The Commission also takes note of the report of the Indonesian Commission of Inquiry and the cooperation established with the International Commission of Inquiry. The Commission welcomes the general progress made and some concrete steps already taken by the Indonesian Government to investigate fully violations of human rights and international humanitarian law and to bring those responsible to justice, and welcomes the willingness of the Government of Indonesia to inform the Commission on further developments.

3. The Commission fully supports the Secretary-General's intention to strengthen UNTAET's capacity, in accordance with the latter's mandate, to conduct forensic investigations and to provide assistance to ongoing procedures.

4. The Commission takes note of the agreement between UNTAET and the Indonesian authorities to exchange information relevant to investigations, prosecutions and trials and welcomes the signature by the Government of Indonesia and UNTAET of a Memorandum of Understanding envisaging mutual cooperation in legal, judicial and human rights related matters, with the aim to promote reconciliation and to ensure future social and political stability.

5. The Commission commends the enhancement of collaboration between the United Nations and the Government of Indonesia in technical cooperation programmes in the field of human rights. In this respect, the Commission requests the High Commissioner to continue to provide technical assistance and advisory services to the Government of Indonesia in its effort, in the context of respecting international standards of justice and fairness, to investigate and bring to justice the alleged perpetrators of the violations of human rights and international humanitarian law in East Timor, including in the setting up of a Special Human Rights Court.

6. The Commission urges for a rapid solution of the East Timorese refugees problem in West Timor. The Commission takes note of the decision by the Government of Indonesia to set a deadline and to take all necessary measures for the refugees to express freely their choice. The Commission takes note of positive steps taken by the Government of Indonesia to enhance the security and the safety in refugee camps. In this regard, the Commission welcomes the agreements between the Indonesian authorities and UNTAET of 22 November 1999 and 13 January 2000, for creating a secure environment for the voluntary repatriation of refugees. However, the Commission remains concerned at various obstacles, including intimidation and misinformation by remaining militias in refugee camps, which hamper the safe and voluntary return of refugees to East Timor. The Commission asks the Government of Indonesia and the international community to continue to provide relief assistance to the refugees.

7. The Commission decides to keep these matters under consideration and requests the High Commissioner to submit an interim report to the General Assembly at its fifty-fifth session and to report to the Commission at its fifty-seventh session.

71. Mr. WISNUMURTI (Indonesia) recalled that in his opening statement the Chairperson had said that the Commission should be a forum for dialogue. In that respect, the Indonesian delegation wished to thank the European Union for the spirit of compromise it had demonstrated in the search for a consensus on the Chairperson's Statement on East Timor.

72. The Indonesian Government had undertaken determined efforts to address the issues linked to the aftermath of the referendum which had taken place in East Timor on 30 August 1999 and noted the international community's genuine concern at the resulting violence. It nevertheless believed that all domestic remedies must first be explored. In line with that principle, Indonesia had taken concrete steps to investigate violations of human rights and

international humanitarian law and to bring those presumed to be responsible to justice. Those steps included the establishment of a commission to investigate human rights violations in East Timor, which had produced a comprehensive and honest report on the matter, and the appointment of a team to study that report and submit recommendations. In addition, parliament was in the final stages of adopting a law establishing a human rights court with authority to try cases of past human rights violations, including those which had taken place in East Timor. In that regard, the Indonesian Government was actively cooperating with the High Commissioner with a view to obtaining technical cooperation and advisory services. To that end, two international experts had been invited to Indonesia to assist the Ministry of Justice and the Office of the Attorney-General.

73. In cooperation with international relief agencies, the Indonesian Government had also taken a number of concrete measures to remedy the situation of the remaining East Timorese refugees in Indonesia, including their voluntary return to East Timor or resettlement in Indonesia if they so desired. Finally, an agreement had been concluded between the Indonesian Government and the Transitional Administration on the provision of mutual assistance in legal, judicial and human rights related matters.

74. The Chairman's Statement recognized the concrete steps already taken in Indonesia. In that regard, the Indonesian delegation recognized the need for the support of the international community, and believed that a credible national process would reconcile the concerns of the latter with respect for national sovereignty.

75. Mr. MENDONÇA E MOURA (Portugal), speaking on behalf of the European Union, was satisfied with the outcome on the issue of East Timor and thanked the Indonesian delegation for its cooperation. The European Union was also satisfied at the Indonesian Government's undertaking to bring the perpetrators of violations of human rights and humanitarian law in East Timor to justice and to establish a human rights court for that purpose in Indonesia. The European Union awaited the outcome of those commitments with interest.

76. Ms. RUBIN (United States of America) welcomed the Chairperson's Statement and thanked all those who had taken part in drafting the text. It was crucial for credible investigations to take place and for the perpetrators of human rights violations in East Timor and elsewhere in Indonesia to be tried. In addition, the humanitarian crisis had to be swiftly settled and effective action taken to disarm militias in East Timor. The Indonesian Government would then be able to turn its attention to other urgent matters. The United States delegation also welcomed the agreement concluded between the Indonesian Government and the United Nations Transitional Administration for East Timor with a view to legal cooperation. The United States, for its part, intended to continue supporting the efforts of the Indonesian Government, which had undertaken a major programme of reform in that area.

77. The United States delegation hoped that it would be possible, at the Commission's forthcoming session, to learn what concrete measures the Indonesian Government had taken to try the perpetrators of human rights violations and to ensure respect for those rights in the country.

Draft resolution E/CN.4/2000/L.32 (Situation in the Republic of Chechnya of the Russian Federation)

78. Mr. MENDONÇA E MOURA (Portugal) introduced draft resolution E/CN.4/2000/L.32 on behalf of the European Union and the other sponsors. The sponsors did not want the Commission to remain silent in the face of the violations of human rights and humanitarian law committed in Chechnya but nevertheless wished to cooperate with the Russian Federation, and so had done all they could to find a compromise, and had indeed modified the text several times in order to obtain Russia's approval. Unfortunately, Russia had not even agreed to the minimum requests the Commission was duty-bound to make if it wished to consider the human rights situation in Chechnya seriously. The only solution was therefore to submit draft resolution E/CN.4/2000/L.32.

79. In the draft resolution, the Commission, after recalling Russia's commitments under the various international human rights instruments it had ratified, called upon all parties to the conflict to take immediate steps to halt the hostilities and the indiscriminate use of force and to begin effective negotiations without delay. It called upon the Government of the Russian Federation to establish urgently a national, broad-based and independent commission of inquiry to investigate promptly allegations of violations of human rights and urged it to cooperate with the Commission's special mechanisms. It requested the relevant special rapporteurs and representatives - the Special Rapporteur on torture, the Special Rapporteur on extrajudicial executions, the Special Rapporteur on violence against women, the Special Representative of the Secretary-General on internally displaced persons and the Special Representative of the Secretary-General for children and armed conflict - to undertake missions to the Republic of Chechnya without delay. Finally, the draft resolution's sponsors awaited with interest the forthcoming report of the High Commissioner for Human Rights, whom the Russian Government had invited to pay a return visit to Chechnya. They hoped that the draft resolution would meet with the broadest possible support in the Commission.

The meeting rose at 6.15 p.m.